

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

WILLIAM S. MASKELUNAS, :  
Plaintiff, :  
v. : Case No. 3:06-cv-242-KRG-KAP  
ANTON SKERL, M.D., :  
Defendants :  
:

MEMORANDUM ORDER

This matter was referred to Magistrate Judge Keith A. Pesto for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and subsections 3 and 4 of Local Rule 72.1 for Magistrate Judges.

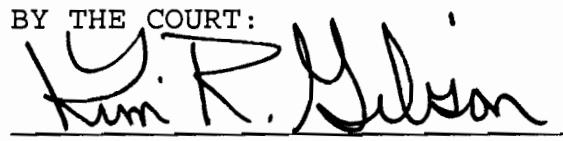
The Magistrate Judge filed a Report and Recommendation on December 7, 2005, docket no. 6, recommending that plaintiff's federal claims be dismissed with prejudice and that the plaintiff's motion to remand, docket no. 2, be granted.

The parties were notified that, pursuant to 28 U.S.C. § 636(b)(1), they had ten days to serve and file written objections to the Report and Recommendation. No one has filed objections, and the time to do so has expired.

After review of the Report and Recommendation, and noting the lack of objection thereto, the following order is entered:

AND NOW, this 3<sup>rd</sup> day of January, 2007, it is  
ORDERED that plaintiff's motion to remand, docket no. 2,  
is granted as follows: any federal claims by plaintiff are  
dismissed with prejudice, and the complaint is remanded to the  
Court of Common Pleas of Cambria County. The Report and  
Recommendation is adopted as the opinion of the Court. The Clerk  
shall mark this matter closed.

BY THE COURT:



Kim R. Gibson

KIM R. GIBSON,  
UNITED STATES DISTRICT JUDGE

Notice by ECF to counsel of record and by U.S. Mail to:

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Cresson, PA 16699-0001